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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10

11 STANFORD HOSPITAL AND CLINICS AND ) No. C 07 5158 MMC	
LUCILE PACKARD CHILDREN'S )	
12 HOSPITAL, ) <b>ADMINISTRATIVE MOTION TO</b>	
13 ) <b>CONSIDER WHETHER CASES</b>	
Petitioner, ) <b>SHOULD BE RELATED</b>	
14 )	
v. ) <b>[CIVIL L.R. 3-12]</b>	
15 )	
SERVICE EMPLOYEES INTERNATIONAL )	
16 UNION LOCAL 715, )	
17 Respondents. )	
RELATED TO: C-08-0216 JL	

18  
19 PLEASE TAKE NOTICE, that Petitioner Service Employees International Union, Local  
20 715, has reason to believe that this case is related to another case in this Court. Pursuant to Civil  
21 Local Rule 3-12, Petitioner, Service Employees International Union, Local 715 ("Local 715" or the  
22 "Union") files this Administrative Motion to Consider Whether Cases Should Be Related. Local  
23 715 believes that this case is related to the case referenced below, which is currently pending  
24 before Chief Magistrate Judge James Larson. Both cases involve the same parties, the same  
25 Collective Bargaining Agreement, and substantially the same legal issues.

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1           **1. Related Case.**

2           *Service Employees International Union, Local 715 v Stanford Hospital and Clinics and*  
3           *Lucile Packard Children's Hospital*, Case No. C-08-0216 JL, currently pending before Chief  
4           Magistrate Judge James Larson.

5           **2. Relationship of the Actions.**

6           The present matter and the matter before Judge Larson are related as defined by Civil Local  
7           Rule 3-12(a) in that they involve substantially the same parties, labor agreement, and questions of  
8           law.

9           Both actions involve the same parties and same Collective Bargaining Agreement ("CBA").  
10          In the present case, the employer is seeking an Order vacating an arbitration award which it lost  
11          and, consequently, has failed and refused to comply with. Local 715 seeks an order from the Court  
12          denying the employer's petition to vacate and entering an order confirming the arbitration award.  
13          In the related case, Stanford Hospital and Clinics and Lucile Packard Children's Hospital (the  
14          "employer") has refused to arbitrate a grievance pursuant to the parties' CBA. Thus, Local 715  
15          brought the related action in an effort to obtain an order from the Court compelling the employer to  
16          arbitrate the Union's grievance pursuant the grievance/arbitration provisions of the parties' CBA.

17          The legal issues are substantially the same, and if the cases are heard by different judges,  
18          there will be an unduly burdensome duplication of both labor and expenses, and the possibility of  
19          conflicting results. Both cases are brought pursuant to Section 301 of the Labor Management  
20          Relations Act of 1947 ("LMRA"), 29 U.S.C. § 185(a). In addition, both cases involve  
21          substantially the same legal issues. In the present matter, the employer makes similar legal  
22          arguments as to why the arbitrator's award, in this case, should be vacated. For example, the  
23          employer argues that the arbitrator lacked authority to decide the issue submitted to him. In the  
24          related case, the employer has indicated that it has no intent in arbitrating the instant dispute  
25          because it does not believe that an arbitrator has the authority to decide such matters.

26          Accordingly, because it appears likely that there will be an unduly burdensome duplication  
27          of labor and expense, and/or conflicting results if the cases are conducted before different judges.

1 This is primarily because both cases involve substantially the same parties and questions of law.

2 **3. Assignment of the Actions.**

3 Local 715 believes that the assignment of the action to Judge Chesney will conserve  
4 judicial resources and promote an efficient determination of the actions. The matter assigned to  
5 Judge Chesney was filed first in order; therefore, relating the cases before Judge Chesney is  
6 appropriate.

7 **4. Conclusion.**

8 For the reasons stated above, Local 715 respectfully requests that a related case order be  
9 entered respecting this new case listed above.

10 Dated: January 17, 2008

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12 WEINBERG, ROGER & ROSENFELD  
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